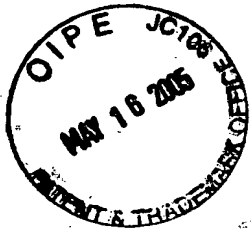


1648  
ERW

PC10348A

U.S. Patent Application No. 09/759,841

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Amendment, Hon. Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this 11th day of May, 2005.



*Heather Randhahn*

(Signature of person mailing)

Heather Randhahn

(Typed or printed name of person)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of:** Susan Dobbs, et al.

**Serial No.:** 09/759,841

**Group Art Unit:** 1648

**Filed:** January 12, 2001

**Examiner:** Timothy M. Brown

**Title:** ASSAY METHODS

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

In response to the Notice of Non-Compliant Amendment (copy attached), mailed April 21, 2005, please find attached herewith a complete listing of the claims of the present application. The claim listing includes the text of all pending claims, including withdrawn claims 12-15. The attached claim listing should replace the claim listing filed with Applicants' Amendment mailed January 10, 2005.

Applicants' response to the Notice of Non-Compliant Amendment is timely filed and no extension fee is necessary.

If additional information is needed concerning this response please contact the undersigned attorney.

Respectfully submitted,

*Nicholas I. Slepchuk, Jr.*

Nicholas I. Slepchuk, Jr.  
Attorney for the Applicants  
Reg. No. 32,174

Date: May 11, 2005  
Pfizer Inc.  
Patent Department  
MS8260-1611  
Eastern Point Road  
Groton, CT 06340  
(617) 551-3223



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,841	01/12/2001	Susan Dobbs	PCS 10348ADAM	1916

7590 04/21/2005

Gregg C. Benson  
Pfizer Inc.  
Patent Department, MS 4159  
Eastern Point Road  
Groton, CT 06340

EXAMINER
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BROWN, TIMOTHY M

ART UNIT	PAPER NUMBER
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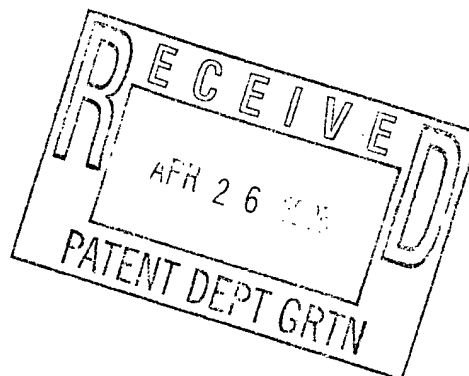
1648

DATE MAILED: 04/21/2005

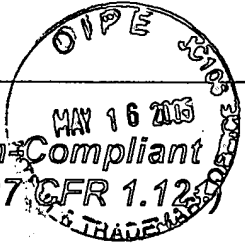
Please find below and/or attached an Office communication concerning this application or proceeding. ✓

*Response Due*

DUE DATE	<i>May 24, 2005</i>
DOCKETED BY:	<i>JMM</i>
( ) NOTE TO THE ATTORNEY:	



**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**



Application No.

09/759,841

Examiner

Timothy M. Brown

Applicant(s)

DOBBS ET AL.

Art Unit

1648

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 10 January 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☒ A. A complete listing of all of the claims is not present.
  - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: The amendment to the claims does not comply with Rule 121 because it fails to include withdrawn claims 12-15.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or  
**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

*James C. Howard*  
4/16/05  
RD